

McNamara Declaration

Exhibit 101

Transforming Our Libraries into Digital Libraries: A digital book for every physical book in our libraries

**Brewster Kahle, Internet Archive
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Today, people get their information online—often filtered through for-profit platforms. If a book isn't online, it's as if it doesn't exist. Yet much of modern knowledge still exists only on the printed page, stored in libraries. Libraries haven't met this digital demand, stymied by costs, e-book restrictions, policy risks, and missing infrastructure. We now have the technology and legal frameworks to transform our library system by 2020. The Internet Archive, working with library partners, proposes bringing millions of books online, through purchase or digitization, starting with the books most widely held and used in libraries and classrooms. Our vision includes at-scale circulation of these e-books, enabling libraries owning the physical works to substitute them with lendable digital copies. By 2020, we can spark a new "Carnegie moment" in which thousands of libraries unlock their analog collections for a new generation of learners, enabling free, long-term, public access to knowledge.

The Problem

We all want to see the modern day Library of Alexandria, a digital library where the published works of humankind—all the books, music, video, webpages, and software—are available to anyone curious enough to want to access them. I believe now is the time to build it.

The technology and costs to achieve this vision are now understood, and in fact, projects such as Google Books and the Internet Archive are proving that it can be done. Yet bringing universal access to all books has not been achieved. Why? There are the commonly understood challenges: money, technology, and legal clarity. Our community has been fractured by disagreement about the path forward, with on-going resistance to some approaches that strike many as monopolistic. Indeed, the library community seems to be holding out for a healthy system that engages authors, publishers, libraries, and most importantly, the readers and future readers.

I suggest that by working together, we can efficiently achieve our goal. This will require the library community working with philanthropists, booksellers, and publishers to unleash the full value of our existing and future collections by offering them digitally.

For the books we can not buy in electronic form, I am proposing a collaborative effort to select and digitize the most useful books of the 20th and 21st centuries, and to build a robust system to circulate the resulting e-books to millions, and eventually billions of people.

Mike Lesk, considered by many to be the father of digital libraries, once said that he was worried about the books of the 20th century and noted that we haven't figured out 'institutional responsibility' in our digital world. He believed that the materials up to the 19th century would be digitized and available, and the 21st-century materials, since they were born-digital, were going to be circulated effectively. But the 20th-century materials he thought, would be caught in machinations of copyright law—most remaining out-of-print, and all seemingly locked up by laws passed in the late 20th century that appeared to make digitization risky.

As we shift from the analog to the digital era, Mike Lesk's comment about 'institutional responsibility' is also apt. Today, public, university, and national library leaders are not clear how best to perform their preservation and access roles, at a time when subscribing to remote databases is increasingly common, and publishers are trying to adapt to a world in which distribution is increasingly consolidated among a few powerhouses. If we are to have healthy publishing and library ecosystems, we need many winners and not just a few dominant players. But how?

A step forward would be for libraries to buy e-books when they can, but to also efficiently transform the books currently on our physical shelves to live on our digital shelves as well. Patrons could then borrow either the physical books or electronic versions easily.

Open Library: Building on a 6-year pilot

Since [2010](#), the Internet Archive's OpenLibrary.org site has been piloting collaborative collection and lending of 20th-century books contributed by dozens of libraries. For six years, we have been buying e-books or digitizing physical books to lend. We now lend more than 500,000 post-1923 digital volumes to one reader at a time via the [Open](#)

[Library website](#). This digital circulation mechanism employs the same protection technologies that publishers use for their in-print e-books distributed by commercial operations such as Overdrive and Google Books. Watching Open Library used by millions over the years, we have found this approach to work. The time is ripe to go much further!

Using the Open Library approach as a foundation, we can expand to bring all interested libraries digital by 2020. By building upon the collection of 2.5 million e-books that so many libraries have collaboratively digitized with the Internet Archive, we can bring the full breadth of books, both past and present, to millions of readers on portable devices, websites, and through online library catalogs. With the library community's extensive collections and strong public service mission, it can be central to this endeavor.

For instance, in each library's online card catalog, when a digital version of a book exists, we can include a web-link on the record for the physical book, giving readers the ability to browse the book on screen or to borrow it from the convenience of their homes. In this way, we can smoothly enhance a library's collection, from analog to digital, at scale, by coordinating through the library catalog cloud-based vendors. We would also collectively work with publishers, to purchase as many books as possible for library lending.

To build this future, we will need the participation of multiple sectors to bring thousands of libraries digital. That is one of the essential differences from the attempt ten years ago by Google, the Authors Guild, and a few large libraries to bring 20th-century books online in a centralized way. That path yielded the [Google Books settlement](#) which proposed a central controlling authority that the courts halted as monopolistic.

A System with Many Winners

I believe this time we can pursue a decentralized approach, one that leads to many publishers and many libraries interacting through the market rather than having a single controlling entity. Libraries would purchase e-books with the same rights to lend and preserve them that they are granted when they purchase physical books today. Hopefully, going forward, all books would be available to libraries in this way—providing revenue to ensure healthy author and publisher sectors that would garner their support. But what about books that are not available in this form—including most of the existing library collections and some books published today? For these texts, libraries can work

together to digitize the materials efficiently, minimizing duplication, and lend the digital texts with the same limitations placed on physical books.

In this way, patrons can read past and present books on the screens of their choice; librarians would perform their traditional roles of purchasing, organizing, presenting, and preserving the great works of humankind; publishers would sell e-books at market-based rates; and authors could choose how to distribute their works, including through publishers for payment. This may sound old-fashioned and not particularly “disruptive,” but it bears the advantage that each institution plays a structurally similar role to the role it has played historically.

Different Eras of Books Require Different Solutions

To bring our libraries digital, let's first discuss ways that groups are digitizing books at scale and then address how they can be made maximally available. The historical core of a great library, often pre-1923 books, reside in the public domain and thus does not have rights issues to hamper distribution. Libraries with their rich special collections must still catalog and digitize their books, and we continue to work with hundreds of libraries to bring their special collections digital. But the large swath of public domain works has largely been digitized twice in the last ten years: once by the libraries working with Google and once by the libraries collaborating with the Internet Archive. Google's project has been much more thorough in its scope, scanning an estimated 25 million books thus far, but unfortunately, access to these works is limited. Institutional subscribers can access the Google books through HathiTrust and the public can only download them one-at-a-time through the Google Books website. The Internet Archive's digitized older material, about 2 to 3 million books, are available in bulk for free public access. Indeed, content specialists from genealogy to biodiversity researchers actively download public domain materials from the Internet Archive at scale, fueling innovation, dissemination, and broad public good. While we still need to complete digitizing special collections and government documents, the pre-1923 corpus of published books is largely online and somewhat available.

The era that worried Mike Lesk, the 20th-century books, are the books librarians also fret about due to rights issues. In most of the developed world, an organization can digitize books for the blind and dyslexic, and through the Marrakesh Treaty, signatory countries can share these books with other signatories at scale in a way that is [explicitly legal](#). In practice, this means Canada can now digitize and lend a book from any era for

the reading disabled and share those digital copies with libraries in Australia or 17 other countries. Furthermore, the court's ruling in [Authors Guild v. Google](#) said the basic act of mass digitization of books, even by commercial entities, was found to be legal under the fair use doctrine in the United States. So the right to digitize has been settled in many countries.

I believe that building a major library at the scale of Princeton, Yale, or Boston Public Library would require institutions to offer access to a curated digital collection of 10 million books, most of which are post-1923. Collaborators can prioritize subsets of books, such as the 1.2 million books most widely held by libraries according to [OCLC](#), or the one million books that appear on one or more syllabi as determined by the [Open Syllabus Project](#). A team of collaborators could volunteer to ensure full coverage in the major subject areas, while building on the core collection. But for the purposes of argument, let's stipulate that ten million books is the number we would need to support a broadly useful public library system.

Three major entities have digitized modern materials at scale: Google, Amazon, and the Internet Archive, probably in that order of magnitude. Google's goal was to digitize texts to aid search and their internal artificial intelligence projects. Amazon's book digitization program has been used to help customers browse books before purchasing them; Amazon is quiet about the number of books it has scanned and any future plans for them. The Internet Archive has digitized more than 2.5 million public domain books and made them fully downloadable and 500,000+ modern books and made them available to the blind and dyslexic and through its lending system on [openlibrary.org](#).

Costs of Digitization

At the Internet Archive, the cost of digitization varies between \$10 and \$30 per book, depending on where the scanning occurs—offshore or in a library. Additional costs include acquisition, storage, and lifetime digital file management, which may come to be the predominant cost in the future.

Current in-print books are often available in e-book form, but there are few publishers willing to allow libraries to buy e-books with similar rights to the physical books they purchase. There is hope that if we coordinate our buying power, the book publishers will embrace selling e-books to libraries, much as the music publishers have come to embrace, or [were forced to embrace](#), the selling of MP3s to services that provide broad

access. When available, the purchase price for these e-books tends to be approximately the same as the cost of the physical book.

Therefore there are known costs and legal frameworks that govern the purchase of e-books and digitizing books for library use.

Collaborating to Build a Digital Collection

Building a collaborative digital collection of 10 million books will require our libraries and our partners to efficiently perform three functions:

- Coordinated collection development to avoid duplicating effort
- Distributed preservation
- Local and cloud access

In very broad strokes, to build the collections, we need curators or curatorial approaches for selecting the most useful books, then a process to determine which books we already have digitized. We need institutions or vendors able to source the missing physical books to be digitized. The participating organizations would need to have the funding to staff these functions, either based on their internal budgets or funds raised from philanthropic sources. Maybe we could start with some already funded projects, as they might help shape the rest of the system.

The Internet Archive's Funding & Technology

The Internet Archive has secured new funding to develop 'super scanning centers' to do mass digitization of millions of books per year, at a significant cost savings. With the first funded super scanning center in Asia, which we are now certifying for production, we anticipate being able to scan books for about one-third of the normal in-library rates achieved by the Internet Archive 28 Regional Scanning Centers. Through the Asian supercenter, the Internet Archive can offer partners a cost savings of 50-60% for those willing to scan large quantities of books and have them out of circulation for several months. We are now talking with a large university research library about a plan to digitize 500,000 modern books using an Internet Archive's super scanning center. This project offers them new options in collection management, allowing the library to offer digital access to books that are moving to an offsite repository. Librarians may find mass digitization at reduced cost to be a powerful tool for collection management.

In the past year, the Internet Archive has developed an in-library book scanning system that integrates duplication detection, catalog lookup, digitization, and integrated delivery. This can be useful for organizations that want to move through their collections, discover what has not been digitized either by themselves or others, and digitize just these texts, while gaining access to the Internet Archive's digitized versions of all of their books, digitized from a large variety of source libraries.

Also, we now have a funding commitment to digitize millions of books and other materials that are donated to the Internet Archive. Through this initiative, the Internet Archive will seek to acquire and then digitize a core collection of books based on the recommendations of a curatorial team, while considering lists such as the OCLC's compilation of [widely held](#) books and books listed by the [Open Syllabus Project](#). This funding gives other organizations the option to donate appropriate physical books to the Internet Archive and receive a digital copy in return, at no cost to their institution.

In these ways, libraries can choose the most appropriate means of scanning their holdings. We now offer options ranging from the Tabletop Scribe, where institutions purchase the hardware and supply their own staffing, to our regional centers in institutions such as Boston Public Library, University of Toronto, Princeton Theological Seminary, and the Library of Congress. We offer lower costs for mass digitization at our Asian super scanning center and free digitization for appropriate materials donated to the Archive. Our goal in offering this plethora of scanning options is to encourage all libraries to participate in the collaborative collection building in a paradigm that works for them.

Curating a Collaborative Collection

Prioritizing the books is still an open question. One approach might be to break the collection into a widely-used core of books useful to K-16 learners, and important topical collections. The Internet Archive could focus on obtaining and scanning the core collection of perhaps 1-2 million volumes, and then partner libraries with strong specialties could develop and scan subject-based collections. An engineering school might take on engineering books, and a law school focus on law books.

We must continue to work with Google Books, HathiTrust, and Amazon.com to explore areas of alignment. No one in the library world wants to waste precious resources by

digitizing a text more than once. It would be a public benefit if these large-scale digitizers would be willing to contribute to this collaborative effort.

There are a few efforts to research which books are emerging from copyright protection and to create a comprehensive list of all digitized works. These will be important areas of research to support.

Various Levels of Access

Once we have established the core collections, each library can determine its own approach to providing access to modern works. Some might want to start by giving full access to the blind and dyslexic, as the University of Toronto is doing through OCUL and the ACE Portal; others such as the University of California might want to create a preservation copy; while some such as HathiTrust might prepare datasets for non-consumptive researcher access; and many others including the Internet Archive may choose to lend their copies while keeping the physical copy on the shelf. This flexibility in access models could be one of the great strengths of this overall approach to bringing 20th-century books online—different libraries in different countries can play varying roles as their environment permits.

Libraries can take a giant step forward in the digital era by lending purchased and digitized e-books. Our digital e-book lending program mirrors traditional library practices: one reader at a time can borrow a book, and others must wait for that one to be returned manually; alternatively after two weeks the book is automatically returned and offered to any waiting patrons. The technical protection mechanisms used to ensure access to only one reader at a time are the same technologies used by publishers to protect their in-print e-books. In this way, the OpenLibrary site is respectful of rights issues, and can leverage some of the learning and tools used by the publishers.

The California library consortium, [Califa](#), has set up its own lending server, and it makes purchased and digitized books available through their own infrastructure to California residents. We understand the Department of Education in China also loans books they own one-reader-at-a-time at a major Chinese university. We all learn and benefit when different organizations in different countries test a range of approaches to access, balancing convenience and rights issues.

How would we circulate the digital e-books? Some libraries are integrating links into their library catalogs, so information about the digital versions and physical copies are side by side in the same record. Libraries can always link to the copy in the Internet Archive's Open Library, but if this is a modern book, there may only be one copy available for the whole world. Libraries can also store their own digital copies, and administer their own lending system, as Califa has done. Another alternative is that the Internet Archive could create a circulation system that would administer the lending for them. In effect, then, each library can choose from a variety of methods to lend digital versions of the physical books in their collection. This would keep the local libraries in control but leverage the convenience of a cloud-based system that others maintain and update.

Turning on the e-book links in a catalog might be very easy now that many libraries have their catalogs on cloud services from major catalog vendors. If those providers collaborate with this community, it could help deliver e-books to millions of patrons with a flip of a digital switch.

Distributed Preservation

If we are striving to build the modern-day Library of Alexandria, we should avoid a fate of the first Library of Alexandria: burning. If only they had made another copy and put it in India or China, we would have the complete works of Aristotle, and the lost plays of Euripides. So our community should preserve multiple copies of the books that are bought and digitized. While many libraries may be content with access to the collection on a cloud-based server, we can empower and encourage a number of libraries to store local digital copies of their books.

Fortunately, digitized books are compact enough to be affordable for libraries to store. Digital books, even with high-resolution images and all the derivative formats, are often 500 megabytes, so one million books would be 500 terabytes, which is increasingly affordable.

Distributed preservation of both the purchased e-books and the digitized books can help ensure the longevity of the precious materials in our libraries.

Financial Stability of Our New Circulation System

So far there has been little discussion of money changing hands, or any financial model to support maintaining and growing this system. If the libraries share the burden of the digitization and share the results, there would then be an incentive to “freeload” and wait until other libraries digitize the books and provide the services. To counter this, it would be understandable if we charged libraries that did not contribute digitization or backend services for access to digitized books. It would be equally understandable to charge a one-time transfer fee to libraries that wanted to store their own local copies. But we should think carefully about financial models, and avoid incentives that lead to dominant systems that limit innovation.

Conclusion

Each of our organizations has a role to play to build this collaborative digital library collection and circulations system. The Internet Archive is ready to contribute scanning technology, backend infrastructure, and philanthropic funding to digitize a core set of books that will serve K-16 learners. We are calling for partners who will help curate and source the best collections beyond what we can do, vendors who will help circulate digital copies, and leaders bold enough to push into new territory.

Because today’s learners seek knowledge online, we must enable every library patron to borrow e-books via their phone, by searching the web, or by browsing their online library catalog. By working together, thousands of libraries can unlock their analog collections for a new generation of learners, enabling digital access to millions of books now beyond their reach. The central goal—for learners to have access to all books without physical constraints—could be realized for millions of people worldwide.